

Abstract

Private enforcement of EU Competition Law

Private enforcement of competition law is commonly understood as the possibility of seeking damages caused by anticompetitive behavior of undertakings before the courts of EU member states. The analysis of a right to seek the antitrust damages and its development is based on decisions of the Court of Justice of the European Union as well as preparatory works on the Directive 2014/104/EU of the European Parliament and of the Council of 26 November 2014 (the “**Directive**”). The first chapter describes the development of the new fully recognized branch of competition law within the EU. The CJEU has focused on the interpretation of the principles of effectiveness and equivalence and the direct effect of Articles 101 and 102 TFEU.

The second chapter includes the analysis of a total of four research questions such as who may be the claimant or the defendant, which court has a jurisdiction and when the limitation period exactly starts to run. Answers to these questions provide injured persons with a higher degree of legal certainty in relation to enforcement of their rights. Also, the Directive and the Czech transposition legislation, including the already available case law of the CJEU, are critically analyzed.

Collective protection of the rights and protection of whistleblowers being complementary legal institutes of private enforcement of competition law are examined in the third part of this thesis.

Possible future developments of the private enforcement of EU competition law are described in the third chapter. This includes mainly preliminary questions that might be referred to the CJEU in the future as well as a summary of suggestions for amendments to the current Czech laws.

Key words: Competition law, antitrust damages, directive 2014/104/EU